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PTO/SB/29 (1/98)

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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03970 U.S. PTO
10/680940
100703

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.:	CIS0011C1US
	First Named Inventor or Application Identifier:	H. Michael Zadikian Ali Saleh John C. Adler Zareh Baghdasarian Vahid Parsi
	Title:	A METHOD OF ALLOCATING BANDWIDTH IN AN OPTICAL NETWORK (As Amended)
	Express Mail Label No.:	EV 304 737 372 US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450
1. ☒ Fee Transmittal Form - <i>see page 2 of this form.</i> (Submit an original, and a duplicate for fee processing) 2. Application: ☒ Specification: (preferred arrangement set forth below) Descriptive title of the Invention, Cross References to Related Applications, Reference to Microfiche Appendix, Background of the Invention, Brief Summary of the Invention, Brief Description of the Drawings, and Detailed Description (all totaling <u>40</u> pages) Appendix(ces) <u> </u>, & <u> </u> (<u> </u> pages) ☒ Claim(s) <u>4</u> pages ☒ Abstract of the Disclosure <u>1</u> page 3. ☒ Drawing(s) (35 USC 113) [Total Sheets <u>13</u>] 4. Oath or Declaration ☐ unsigned [Total Pages <u>3</u>] a. ☐ Newly executed (original or copy) b. ☒ Copy from prior application (37 CFR §1.63(d)) (for continuation/divisional with Box 17 completed) c. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 5. ☒ Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	6. ☐ Microfiche Computer Program Appendix consisting of <u> </u> pages of microfiche containing <u> </u> frames on each page in accompanying envelope. 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. ☐ Computer Readable Copy b. ☐ Paper Copy (identical to computer copy) c. ☐ Statement verifying identity of above copies
ACCOMPANYING APPLICATION PARTS	
8. ☐ Assignment Papers (cover sheet & documents) <u> </u> pages 9. ☐ 37 CFR §3.73(b) Statement ☒ Power of Attorney (combined when there is an Assignee with Patent Declaration above.) 10. ☐ English Translation Document (if applicable) 11. ☐ Information Disclosure Statement (IDS) & ☐ PTO-1449 <u> </u> Copies of IDS Citations/References 12. ☒ Preliminary Amendment (34 pages) 13. ☒ Return Receipt Postcard (MPEP 503) (should be specifically itemized) 14. Small Entity Status ☐ Small Entity Statement Enclosed <u> </u> pages ☐ Statement filed in prior application; and status still proper and desired ☐ Is no longer claimed. 15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. ☒ Other: ☒ Request for NonPublication (1 page)	
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information and a preliminary amendment: ☒ Continuation ☐ Divisional of prior application No. <u>09/232,396</u> Filed on <u>January 15, 1999</u>, entitled: <u>A METHOD OF ALLOCATING BANDWIDTH IN AN OPTICAL NETWORK.</u> PRIOR APPLICATION INFORMATION: <u>Examiner Hanh N. Nguyen</u> <u>Group Art Unit 2662</u>	
18. CORRESPONDENCE ADDRESS	
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19. Fee calculations.

CLAIMS (Number Filed)	(1) FOR	(2)		(3) NUMBER EXTRA		(4) RATE		(5) CALCULATIONS
82	TOTAL CLAIMS (37 CFR 1.16(c))	-20	=	62	x	\$18	=	\$1116.00
9	INDEPENDENT CLAIMS (37 CFR 1.16(b))	-3	=	0	x	\$86	=	\$516.00
☐	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.18(d))				+	\$280.00	=	
						BASIC FEE (37 CFR 1.16(a))		= \$ 770.00
						Total of above Calculations		= \$2402.00
						Reduction by 50% for filing by small entity (Note 31 CFR 1.9, 1.27, 1.28).		=
						TOTAL		= \$2402.00

20. **FEES:** The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **502306**:

- a. ☒ Fees required under 37 CFR 1.16. (U.S. Application Filing Fees)
- b. ☒ Fees required under 37 CFR 1.17. (Conditional Extension of Time Fees)
- c. ☐ Fees required under 37 CFR 1.18. (Patent Issue Fees)

21. ☐ Other: _____

NOTE:

The prior application's correspondence address will carry over to this UPA UNLESS a new correspondence address is provided below.

22. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

☐ New correspondence address below

NAME					
ADDRESS					
CITY	STATE	ZIP CODE			
COUNTRY	TELEPHONE	FAX			

23. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

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Date:	10-7-03
Name:	Justin M. Dillon
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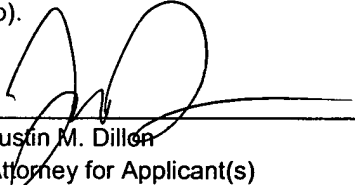
MODIFIED PTO/SB/35 (11-00)

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	Inventor(s):	H. Michael Zadikian Ali Saleh John C. Adler Zareh Baghdasarian Vahid Parsi
	Title:	A METHOD OF ALLOCATING BANDWIDTH IN AN OPTICAL NETWORK (As Amended)
	Attorney Docket No.:	CIS0011C1US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date

10-7-03


Justin M. Dillon
Attorney for Applicant(s)
Reg. No.: 42,486

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**